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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/817,397

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Frank L. Lordeman

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EXAMINER

TOMASZEWSKI, MICHAEL

ART UNIT

PAPER NUMBER

3626

MAIL DATE

DELIVERY MODE

10/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/817,397

Applicant(s)

LORDEMAN ET AL.

Examiner

Mike Tomaszewski

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3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 1/30/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Notice To Applicant

1. This communication is in response to the application filed on 4/2/04. Claims 1-30 are pending. The IDS statements filed 1/30/06, 5/23/05 and 9/30/04 have been entered and considered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-30 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Dutta (US 2003/0046112; hereinafter Dutta).

(A) As per claim 1, Dutta discloses a computer-based method, comprising:

(1) storing medical and financial data that enable access to a plurality of services for a medical patient (Dutta: abstract);

- (2) accessing one of the plurality of services using a subset of the stored data (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]); and
 - (3) performing a transaction with the accessed service (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]).
- (B) As per claim 2, Dutta discloses the method of claim 1, further comprising charging a fee for the performing (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]).
- (C) As per claim 3, Dutta discloses the method of claim 2, wherein the fee includes a flat fee (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]).
- (D) As per claim 4, Dutta discloses the method of claim 2, wherein the fee includes a percentage of revenue in the transaction (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]).
- (E) As per claim 5, Dutta discloses the method of claim 1, further comprising verifying an identity of the patient by comparing a patient identifier on a patient's card and an access code with data stored in a database (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]).
- (F) As per claim 6, Dutta discloses the method of claim 1, wherein financial data includes a bank account identifier (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]).

(G) As per claim 7, Dutta discloses the method of claim 1, wherein the medical data includes patient insurance data (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]).

(H) As per claim 8, Dutta discloses the method of claim 1, further comprising repeating the accessing and performing until a health service provider's claim is fully paid (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]).

(I) As per claim 9, Dutta discloses the method of claim 9, wherein the accessed services include a health insurance service, a managed healthcare account service, and a bank debt service (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]).

(J) As per claim 10, Dutta discloses the method of claim 9, wherein the accessed services include a health insurance service, a managed healthcare account service, and a bank debt service (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]).

(K) As per claim 11, Dutta discloses the method of claim 9, further comprising calculating a health service provider discount (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]).

(L) As per claim 12, Dutta discloses the method of claim 1, wherein the transaction includes obtaining patient appointment data and wherein the method further comprises

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transmitting the obtained patient appointment data (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]).

(M) As per claim 13, Dutta discloses the method of claim 1, wherein the transaction includes obtaining pharmaceutical information and wherein the method further comprises determining a medical condition based on the pharmaceutical information; and obtaining news related to the determined medical condition (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]).

(N) As per claim 14, Dutta discloses the method of claim 1, wherein the transaction includes obtaining pharmaceutical information and wherein the method further comprises transmitting a notification of the expiration to a patient if the expiration is within the predetermined timeframe (Dutta: abstract, ¶ [0011] – [0013], [0020] – [0025]).

(O) Claims 15-30 substantially repeat the same limitations as those in claims 1-14 and therefore, are rejected for the same reasons given for those claims and incorporated herein.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Tomaszewski whose telephone number is (571)272-8117. The examiner can normally be reached on M-F 7:00 am - 3:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571)272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MT



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